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Attorneys for Receiver Geoff Winkler

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

MATTHEW WADE BEASLEY, *et al.*,

Defendants,

THE JUDD IRREVOCABLE TRUST, *et al.*,

Relief Defendants.

Case No. 2:22-cv-00612-CDS-EJY

**DECLARATION OF JARROD L.
RICKARD, ESQ. IN SUPPORT OF
TENTH QUARTERLY
APPLICATION FOR PAYMENT OF
FEES AND REIMBURSEMENT OF
EXPENSES OF RECEIVER'S
COUNSEL: (1) ALLEN MATKINS
LECK GAMBLE MALLORY &
NATSIS LLP; AND (2) SEMENZA
KIRCHER RICKARD**

[Application; Memorandum of Points and
Authorities; and [Proposed] Order
submitted concurrently herewith or under
separate cover]

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SEMENZA KIRCHER RICKARD
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1 I, JARROD L. RICKARD, hereby declare as follows:

2 1. I am a Partner with Semenza Kircher Rickard. I make the following Declaration in
3 support of the Receiver's Tenth Quarterly Application for Allowance and Payment of Fees and
4 Costs for the Period July 1, 2024 to September 30, 2024 (the "Application"). My firm is counsel
5 of record for Geoff Winkler (the "Receiver"), the Court-appointed receiver in CASE NO. 2:22-cv-
6 00612-CDS-EJY pending before this Court. I have personal knowledge of the facts contained in
7 this Declaration and if called to do so, would testify competently thereto.

8 2. As reflected in the concurrently filed Application, Semenza Kircher Rickard has
9 endeavored to staff all tasks undertaken in this matter efficiently, using paralegals wherever
10 appropriate. In addition, as reflected in prior submissions to the Court, Semenza Kircher Rickard
11 agreed to a significant discount from its ordinary billing rates for this matter. Accordingly, the
12 fees identified in the Application were billed at rates reflecting significant discounts, thereby
13 resulting in a substantial savings for the receivership estate.

14 3. Attached hereto as **Exhibit A** is a true and correct copy of the invoices containing
15 the billing entries detailing the tasks performed by Semenza Kircher Rickard's attorneys and
16 paralegals during the Application Period. Semenza Kircher Rickard respectfully requests that the
17 Court approve the fees and costs reflected in the invoice and approve payment in the amounts
18 reflected in the Application.

19 4. In accordance with the Billing Guidelines promulgated by the plaintiff Securities
20 and Exchange Commission (the "Commission"), on behalf of Semenza Kircher Rickard, I certify
21 as follows:

- 22 a. I have read the Application;
- 23 b. To the best of my knowledge, information and belief formed after reasonable
24 inquiry, the Application and all fees and expenses therein are true and accurate
25 and comply with the Billing Instructions for Receivers in Civil Actions
26 Commenced by the plaintiff Securities and Exchange Commission;
- 27 c. Semenza Kircher Rickard's fees reflected in the Application are based on the
28 rates listed in Semenza Kircher Rickard's fee schedule for this matter, subject

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1 to increases disclosed to the Securities and Exchange Commission, and
2 approved by the Court prior to any such increase. All fees contained in the
3 Application are reasonable, necessary and commensurate with the skill and
4 experience required for the activity performed and are subject to Court
5 approval. Indeed, as reflected in the Application, Semenza Kircher Rickard
6 has discounted its hourly rates for all timekeepers staffed on this matter. In
7 addition, and in order to maximize the value of its services to the receivership
8 estate, Semenza Kircher Rickard has endeavored to avoid duplication of effort
9 with the Receiver and co-counsel, and consistently strives to staff all matters in
10 as efficient a manner as possible, utilizing personnel best suited to each task,
11 consistent with the complexity and demands of the task;

- 12 d. Semenza Kircher Rickard has not included in the amount for which
13 reimbursement is sought the amortization of the cost of any investment,
14 equipment, or capital outlay (except to the extent that any such amortization is
15 included within the permitted allowable amounts set forth herein for
16 photocopies and facsimile transmission);
- 17 e. In seeking reimbursement for a service which Semenza Kircher Rickard
18 justifiably purchased or contracted for from a third party (such as copying,
19 imaging, bulk mail, messenger service, overnight courier, computerized
20 research, or title and lien searches), Semenza Kircher Rickard requests
21 reimbursement only for the amount billed to Semenza Kircher Rickard by the
22 third-party vendor and paid by Semenza Kircher Rickard to such vendor. If
23 such services are performed by the Semenza Kircher Rickard or its retained
24 personnel, the Semenza Kircher Rickard or its retained personnel, as
25 appropriate, will certify that it is not making a profit on such reimbursable
26 service.
- 27 f. Semenza Kircher Rickard remains sensitive to comments received from the
28 Commission in connection with the fees and expenses requested in the

1 Application. Likewise, Semenza Kircher Rickard remains committed to
2 satisfying, to the best of its ability, this Court's directives in connection with
3 applications for fees and reimbursement of expenses. To that end, and in
4 addition to the substantial discounts Semenza Kircher Rickard is applying to all
5 timekeepers in this matter, as detailed in the Application, Semenza Kircher
6 Rickard has implemented additional procedures to further improve and
7 maximize the clarity of its billing entries.

8 g. Semenza Kircher Rickard's prebills have been submitted to the Commission's
9 staff, which has read and reviewed the prebills, and provided comments. The
10 Commission's staff has further indicated that the Commission does not oppose
11 the interim approval and payment of the fees requested in the Application.

12 I declare under penalty of perjury under the laws of the State of Nevada that the foregoing
13 is true and correct.

14 DATED this 19th day of November, 2024.

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16 /s/ Jarrod L. Rickard
JARROD L. RICKARD, ESQ.
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CERTIFICATE OF SERVICE

I am employed by the law firm of Semenza Kircher Rickard in Clark County. I am over the age of 18 and not a party to this action. The business address is 10161 Park Run Drive, Suite 150, Las Vegas, Nevada 89145.

On the 19th day of November, 2024, I served the document(s), described as:

**DECLARATION OF JARROD L. RICKARD, ESQ. IN SUPPORT OF TENTH
QUARTERLY APPLICATION FOR PAYMENT OF FEES AND REIMBURSEMENT
OF EXPENSES OF RECEIVER'S COUNSEL: (1) ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP; AND (2) SEMENZA KIRCHER RICKARD**

**[Application; Memorandum of Points and Authorities; and [Proposed] Order
submitted concurrently herewith or under separate cover]**

☒ by serving the ☐ original ☒ a true copy of the above and foregoing via:

☒ a. **CM/ECF System** to the following registered e-mail addresses:

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Garrett T Ogata (Terminated) court@gtogata.com

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Michael D. Rawlins michael@rawlins.law, laura@rawlins.law

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☐ b. **BY U.S. MAIL.** I deposited such envelope in the mail at Las Vegas, Nevada. The envelope(s) were mailed with postage thereon fully prepaid. I am readily familiar with Semenza Kircher Rickard's practice of collection and processing correspondence for mailing. Under that practice, documents are deposited with the U.S. Postal Service on the same day, which is stated in the proof of service, with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date stated in this proof of service.

☐ c. **BY PERSONAL SERVICE.**

☐ d. **BY DIRECT EMAIL.**

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☐ e. **BY FACSIMILE TRANSMISSION.**

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Olivia A. Kelly

An Employee of Semenza Kircher Rickard

SEMENZA KIRCHER RICKARD
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EXHIBIT A

EXHIBIT A

LAWRENCE J SEMENZA, III, P.C.

dba SEMENZA RICKARD LAW

10161 Park Run Drive, Suite 150

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Telephone: (702) 835-6803

Facsimile: (702) 920-8669

Federal I.D. # 27-4465751

Date 8/25/2024

Invoice Number 7092-01_26

Client Number 7092

Matter Number 01

American Financial Services

c/o Geoff Winkler

2300 West Sahara Avenue, Suite 822

Las Vegas, NV 89102

Receiver for J&J Consulting Services, Inc

RE: Receiver in Nevada Actions

BILL THROUGH DATE 7/31/2024

Date	Employee	Description	Hours	Rate	Amount
7/15/2024	O Kelly	PROFESSIONAL FEES	0.1	145.00	14.50
7/16/2024	J Rickard	Review e-mails re discovery requests/extension to respond to same	1.5	375.00	562.50
7/29/2024	J Rickard	Conference call with co-counsel in Wells Fargo action regarding motion for protective order; research regarding same; emailing regarding same	0.3	375.00	112.50
7/31/2024	O Kelly	Conference call regarding dispute concerning Receiver deposition	0.1	145.00	14.50
		Review order re motion for telephonic conference re rule 30b6 deposition (2:23-cv-00703-GMN-NJK Winkler v. Wells Fargo Bank N.A.) (0.1)			
		Subtotal			704.00

Total Current Invoice \$704.00

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dba SEMENZA RICKARD LAW

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Telephone: (702) 835-6803

Facsimile: (702) 920-8669

Federal I.D. # 27-4465751

Date 9/28/2024

Invoice Number 7092-01_27

Client Number 7092

Matter Number 01

American Financial Services

c/o Geoff Winkler

2300 West Sahara Avenue, Suite 822

Las Vegas, NV 89102

Receiver for J&J Consulting Services, Inc

RE: Receiver in Nevada Actions

BILL THROUGH DATE 8/31/2024

Date	Employee	Description	Hours	Rate	Amount
8/2/2024	O Kelly	PROFESSIONAL FEES Review Wells Fargo Bank's notice of intent to serve subpoena duces tecum on the Bank of New York Mellon (2:23-cv-00529) (0.1)	0.1	145.00	14.50
8/6/2024	J Rickard	Review draft opposition to motion to compel 30b6 deposition in Wells Fargo action; emailing regarding same	0.8	375.00	300.00
8/9/2024	O Kelly	Finalize/file response to motion for status (0.7) (2:23-cv-00703-GMN-NJK)	0.7	145.00	101.50
8/9/2024	J Rickard	Review final draft response to motion for telephonic conference regarding Rule 30b6 deposition; finalize same	0.5	375.00	187.50
8/13/2024	O Kelly	Review order denying motion for telephonic status conference (2:23-cv-00703) (0.1)	0.1	145.00	14.50
8/21/2024	O Kelly	Review reply in support of motion to quash subpoenas (0.1) (2:23-cv-00703); add up time worked in July (0.1)	0.2	145.00	29.00
8/23/2024	O Kelly	Review order denying motion to quash subpoenas (2:23-cv-00703-GMN-NJK) (0.1)	0.1	145.00	14.50
		Subtotal			661.50

Total Current Invoice \$661.50

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dba SEMENZA RICKARD LAW

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Federal I.D. # 27-4465751

Date 10/30/2024

Invoice Number 7092-01_28

Client Number 7092

Matter Number 01

American Financial Services

c/o Geoff Winkler

2300 West Sahara Avenue, Suite 822

Las Vegas, NV 89102

Receiver for J&J Consulting Services, Inc

RE: Receiver in Nevada Actions

BILL THROUGH DATE 9/30/2024

Date	Employee	Description	Hours	Rate	Amount
9/11/2024	O Kelly	PROFESSIONAL FEES Telephone call/e-mails with Holland & Hart re deposition of M Beasley (0.2) (2:23-cv-00703); review e-mails from client re Zoom link for M Beasley deposition (0.1) (2:23-cv-00703)	0.3	145.00	43.50
9/17/2024	O Kelly	Review minutes of status conference on 9/16/24 (2:22-cv-00612)	0.1	145.00	14.50
9/27/2024	O Kelly	Review e-mails from lead counsel re motion to compel filing (0.2) (22-cv-00612); review rules/procedures for filing under seal (0.3)(22-cv-00612);	0.5	145.00	72.50
		Subtotal			130.50

Total Current Invoice \$130.50